writing

CRP 9/20/77

3/28/74

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APR 1 1974

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SH:ryh
DJ 144-72-662

Review of the James Earl Ray File

As a result of recent events and pursuant to your instructions, I have reviewed the file and am now familiar with it. It is the purpose of this memorandum to answer the questions posed by you subsequent to our meeting with Mr. Fensterwald and to acquaint you with some of the more important facts.

It will be apparent from this memo that I have come to certain conclusions during the course of my review and have felt it necessary to rebut (or attempt to rebut) some of the conspiracy "evidence" introduced by Fensterwald, Weisberg, et al. I have tried to discuss events in chronological order.

I should also state here that, in my opinion, the Bureau did everything feasible to determine whether anyone else was involved in the assassination.

The Canadian tailored suit. On July 21, 1967, Ray ordered a tailor-made suit from the English and Scotch Woolen Company in Montreal. The Company was told to send the suit to Ray's Birmingham address. Weisberg, as is his style, pounces upon this fact as proof of a conspiracy stating that the only way Ray could have known where he would be staying in Birmingham is if he was told where to go and did not simply arrive in Birmingham and search for a place to live.

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Actually, the tailor received the notice to send the suit to the Birmingham address by a letter from Ray dated September 6, 1967, mailed from Birmingham where Ray had already been living for two weeks.

The camera equipment. Fensterwald raised the question of the camera equipment (as did Weisberg) and stated that Ray was told to buy this equipment which was supposed to be used for surveillance of King.

The camera equipment is difficult to explain when it is examined out of context. However, it actually fits a logical pattern when viewed with Ray's other activities:

(1) July 24, 1967 - Ray orders three sex books by mail: "Sexual Anatomy;" "Unusual Female Sex Practices" and "Sex Feeling in Men and Women."

(2) August 9, 1967 - Orders by mail a special formula which is used to convert an ordinary mirror into a see through mirror which is used to observe (or film) an unsuspecting subject.

(3) October 3, 1967 - Orders by mail a Kodak Dual Projector, a super 8 movie camera, a combination splicer and a 20 foot remote control cable.

(4) January 30, 1968 - Puts the following ad in the Los Angeles Free Press: "Single male Caus. 36 yrs., 5-11, 170 lbs. Bigs Fr. Cult. desires discreet meeting with passionate married female for mutual enjoyment and/or female for swing session apt. furn. will ex. photo Write Eric S. 406 So. 2nd, St. Alhambra, 91802.

(5) February 15, 1968 (Approximate) - writes an organization called "The local swinger" for a list of swingers.

(6) February 17, 1968 - Writes the following letter to one of the swingers: "Dear Miss: I am answering your listing in the local swinger I think I share most of your interest, with emphasis on French cult. and swing sessions...(letter continues and encloses photo).

(7) February 26, 1968 - Orders by mail one set of cheap handcuffs.

I think that the fact that Ray ordered a spliear and a 20 foot remote cable, by itself, would negate a surveillance theory. In the context of his other purchases, I think pornography was a more likely objectiv

The trip to New Orleans. Ray met two women, Rita and Marie Martin on the evening of December 14, 1967 in a bar. Stein related to Ray that she must get her two children in New Orleans and bring them back to Los Angeles or the children would become wards of the state. Ray agreed to go to New Orleans to pick up the children, thinking that Martin and/or Stein would accompa him. Ray was angry when he found out that Stein's brother, Charles Stein, would be accompanying him. They left the next morning, after Ray took both Stein and Martin to register for George Wallace (he extracted this promise from them in exchange for his going to New Orlean

Fensterwald and others have stated that Ray really went to New Orleans because he had been summoned by Raoul, and point out that Ray had told Stein that he had to go New Orleans anyway to meet certain people. However, there is evidence that Ray had no intention of going to New Orleans on that date, or within the next three or four days thereafter, before he met Stein and Martin.

At the time Ray met Stein and Martin, he was making regular visits to a clinical psychologist. Ray had appointments with this psychologist on November 27, 30, December 4, 6, 11, and 14. On December 14, hours before meeting Stein and Martin, Ray made an appointment with the psychologist for December 18. Sometime after meeting Stein and Martin Ray broke the appointment (Frank states in his book that it was broken on the morning of December 15, according to the FBI, the doctor was uncertain as to exactly when the appointment was broken). According to Frank, Ray also broke an appointment or appointments for dance lessons. According to the file, Ray did call the dance studio on December 15.

(It is also interesting to note that Ray actually gave this psychologist his real name. When he first visited him, Ray told him he wanted to overcome his shyness, gain social confidence and learn self hypnosis. The fact that Ray gave his real name is indicative of how serious he was about his professed goals).

The FBI made every effort to determine if Ray contacted anyone in New Orleans, to include the possibility of a phone call enroute, there was no evidence of any contact.

Dance school in Los Angeles. Fensterwald stated that Ray spent $386 for dancing lessons in Los Angeles at a studio 40 miles from his residence and rarely attended. He theorized that the dance studio was a contact point. In actuality, Ray paid $328 for the lessons and attended regularly - he took fifty-six lessons.

The duplicate driver's license. Fensterwald related that a duplicate driver's license was issued to Eric Galt in Alabama and sent to his Birmingham address when he was in Los Angeles. He interpreted this to be one of the proofs that there were actually two James Earl Rays.

In his book, Frank explains this incident by relating that Ray lost his wallet with his driver's license in a bar room altercation. Ray then wrote the license bureau in Alabama for a duplicate which was sent to his Birmingham address but forwarded to his Los Angeles address by the post office.

The information in our file concides with Frank's explanation. Although we don't know for sure that Ray lost his wallet and license in the manner stated by Frank, we have the statement of a fellow student of Ray's at bartending school that Ray told him he had lost his wallet and driver's license (Ray was explaining why he hadn't driven his car to school). We also know that Ray was in the habit of leaving forwarding addresses.

The purchase of the rifle and related events. It was determined that the rifle was purchased at the Aeromarine Supply Company, Birmingham, Alabama. Ray has been identified as the purchaser of the rifle. On March 29, Ray came into the store, inquired about a .243 caliber rifle and a Redfield scope, and purchased same. On March 30, he exchanged the .243 caliber for the .30-06 Remington, the scope was transferred to the Remington. The proprietor of the store believes he also sold Ray a box of 20 Remington-Peters .30-06 cartridges.

While there is really no doubt that Ray purchased the rifle, there are a number of significant facts pertaining to the purchase which Bernard Fensterwald interprets to be consistent with a conspiracy theory. I believe that a close examination supports an opposite conclusion. Fensterwald stated that Ray was a dupe, that he was told to purchase a rifle to be furnished as a sample for a smuggling operation, to swap the .243 caliber purchased on March 29 for the .30-06 Remington so that the proprietor would be sure to remember his face.

Quinton Davis, the proprietor of a Birmingham store called the "Gun Rack," told investigators that a man driving a small white car had been in his store on two or three occasions during the several months prior to

the assassination, the last time two or three months before. The description given fit Ray but Davis couldn't identify a picture of Ray. The man inquired about several rifles, but was particularly interested in .243, .30-06 and .308 calibers. The man was primarily interested in trajectories of the different rifles, how many inches a bullet fired from each rifle would drop over various distances. The man also inquired about Redfield scopes.

Clyde Manasco, a clerk at the Gun Rack, said that a man who had visited the store on three or four occasions during the past several months came into the store on March 27, 1968. The man was interested in obtaining information about rifle trajectories, specifically which rifle, among a .243, .308 and .30-06 calibers, would fire a bullet with the least amount of drop over several hundred yards. The man was particularly interested in .243 caliber rifles and Redfield scopes.

Manasco gave a description which fits Ray and subsequently picked out a picture of Ray from several, stating that the man who was in the store looked like the picture but had a thinner face. (It should be noted that many people who were asked to identify Ray from this photograph, taken when he graduated from bartending school said the same thing. Ray's pictures, taken at various times, are strikingly dissimilar, and his face particular reflects any weight loss or gain.) Manasco had the impression the man had been or was going to the Long-Lewis Hardware Store.

On March 29, a man entered the Long-Lewis Hardware Store in Bessemer, Alabama, and inquired about .243, .308 and .30-06 caliber rifles. The man was particularly interested in how many inches the bullets fired from each would drop at 600 yards. The proprietor, John Kopp, gave a description fitting Ray but could not identify the photo of Ray, though he stated that the artists conception of Ray (with a thinner face) looked like the man.

It should be noted that Davis, Manasco and Kopp gave almost identical descriptions of the man, right down to his manicured finger nails, the description fits Ray.

The evidence that Ray had gone to three gun stores is almost overwhelming. His research on the scopes and rifles is not consistent with Fensterwald's position that Ray was sent out to buy a rifle, came back with .243 caliber, and was told to go back the next day, to get a .30-06. Furthermore, Ray's inquiry as to trajectories needs explaining. A professional assassin who was going to make a shot at an unknown distance would be familiar, as is every hunter, with the proper scope settings, for different distances. But someone as unfamiliar with rifles as Ray (and with little time to practice) would merely concern himself with buying a rifle with the flatest trajectory possible and "zero" the scope for a convenient distance. Ray had purchased a box of 20 cartridges, 14 were used (had disappeared) by the time of the killing.

Note that both Davis and Manasco stated that the man had been in the store previously. According to the schedule of Ray's known daily activities in Los Angeles, it is improbable that Ray came east on any occasion other than the New Orleans trip. However, he was in Birmingham until October 6, 1967. I am convinced that Ray was the man in the stores in late March, and if he was in the Gun Rack on previous occasions, it was probably in September-October, 1967, and Davis and Manasco are mistaken as to the length of time that had elapsed since his last visit.

The man who rented the room in Memphis. Bessie Brewer, the proprietress at 422 1/2 South Main Street, was unable to furnish a description of the man other than he wore a dark sports jacket and had a smile that was more like a sneer. (It should be noted that many people who came in contact with Ray made the same remark).

Mr Bertie Reeves, who saw the man with Brewer when he rented the room, gave a description closely fitting Ray and stated the man was wearing a dark suit.

The eggs and sausage man. Fensterwald recently forwarded to us an article by a reporter named Wayne Chastain, who is writing a series on the King Assassination and possible links with the Kennedy murders. In his article, Chastain describes the "mysterious eggs and sausage man" who entered Jim's Grill just a few hours before the assassination, a description furnished by Lloyd Jowers, the owner of Jim's Grill. Chastain raises the possibility that this man was the assassin, and Fensterwald notes in the margin that the man fits the description of the mysterious "Rocky."

According to Jowers' statement to the FBI, the man returned about two hours after the assassination and Jowers called the police, who arrested the man as he was leaving Jim's Grill. The man's name is [illegible] who had nothing to do with the assassination. Jowers probably told this to Chastain but Chastain, for some reason, chose not to include that in his article. I assume that the "mysterious eggs and sausage man" will reappear in a subsequent article.

The shooting. At the moment Dr. King was shot he was apparently leaning with his hands on the balcony rail in front of his room. The witnesses around and below him agree on the direction of the shot, saying that it came from the area of the back of 422 1/2 South Main Street, though one says it came from the bushes, one states it came from a higher elevation and one states that it could have been either one. It should be noted that the bushes behind 422 1/2 South Main are not at ground level but are above a concrete retaining wall, and it would seem almost impossible to shoot the bushes or the window at the exact spot if one were standing in the rooming house lot. A bullet fired from the rear window would pass right over the bushes,

The window is at a point approximately 16 feet higher than the point of entry of the bullet into King. According to the autopsy, the bullet struck King on a downward trajectory, this would appear to eliminate the theory that the bullet was fired from the bushes. Weisberg's theory that the fact that King was bent over the balcony accounts for the path of the bullet in his body is not in accord with the evidence. King would have to have been bent over almost double.

At the time of the shot Charles Stephens was in his room at the rooming house working on a table which is against the wall common to the bathroom. Stephens is sure the shot came from a few feet away in the bathroom. During the day Stephens had heard the man who had rented 5B go into the bathroom on a few occasions. Both Stephens and another tenant, Willie Anschultz, wondered why the man was spending so much time in the bathroom.

Stephen's accounts of what he did immediately after the shot vary, but he states that he saw the man, who he believes was the one who rented the room earlier, running down the hall with his back to Stephens. He gives a fair description which fits Ray and states he was wearing a dark suit. Anschultz gives a hazy description and said the man did not seem to be wearing a coat.

The three witnesses who were in the store where the bundle was dropped after the shooting gave descriptions loosely fitting Ray and all said the man was wearing a dark suit and left the scene in a white Mustang.

There are two witnesses who thought they saw the man who fired the shot in the area of the bushes. Harold Carter first told the FBI that he was in his room when the shot was fired and didn't leave it until 15 minutes thereafter. He subsequently told the police that he was right next to the assassin when the shot was fired. Later he told Percy Foreman that he couldn't swear to it.

Solomon Jones thought he saw a man with a white headpiece running from the bushes after the shooting. According to Jones' own statement, after King was shot and he realized what had happened, he and Chauncey Eskridge ran 50 feet and stopped opposite the office of the motel, looked around and saw nothing. Jones then ran about 10 feet west to the brick wall bordering on Mulberry Street and got a quick glimpse of the back of a man in the area of the bushes. From the facts given, Jones probably saw a police officer running around the back of the rooming house who was wearing a light blue helmet, as an actual assassin would have had plenty of time to run before Jones saw the figure by the bushes.

An explanation of why the box of evidence was left behind. The fact that the box of evidence was conveniently left behind is often cited as proof that Ray was framed. After reading Frank's book I attempted to reconstruct the scene of the crime each moment after the shot was fired (who was where according to all the statements).

By placing the participants each moment after the shot, it appears that as Ray emerged from the rooming house a group of tactical police officers were running out of the fire house approximately one hundred feet to the south, and were running around the corner (south, then east) toward the Lorraine Motel. Another group of officers emerged from a door at the northwest corner of the fire house and ran directly east toward the motel. There were three police cars in the driveway of the fire house.

The block on which the rooming house and the fire house is located is not straight, but curved. From the spot where Ray everged from the rooming house he could not see the fire house and the police activity (refer to attached diagram). However, when Ray had proceeded south

to a point opposite Canipe's Amusement Company (424 South Main), the police and their cars were suddenly visible. It was at this point the box was dropped, and Ray walked an additional twenty feet to the Mustang and drove away to the north (observed by three witnesses in Canipe's).

I have come to the conclusion that Ray never intended to leave the evidence behind, he simply did not want to walk that twenty feet, with a box with a rifle sticking out of it under his arm, in plain view of the police.

The rifle and ammunition. The rifle (Q2) is a .30-06 Springfield Caliber Remington "Gamemaster" slide action rifle, model 760, mounted with a Redfield scope. In the rifle was a .30-06 Springfield caliber Remington Peters cartridge case (Q3). It was determined that Q3 was fired in the Q2 rifle by matching up the extractor mark on Q3 with the extractor of Q2. The bullet (Q64) taken from King's body is a .30 caliber metal jacketed softpoint of Remington-Peters manufacture. The bullet was fired from a rifle with six lands and groves, right twist. Based on these rifling impressions, the bullet could have been fired from Q2. The bullet was too mutilated to determine conclusively if it was fired from Q2.

There was found in the box left at the scene a Peters cartridge box containing five Remington Peters cartridges (Q4-Q8) and four U.S. military cartridges, .30-06 caliber, of Remington manufacture. There was no indication that these cartridges had ever been loaded. The Q64 bullet is identical in all remaining observable physical characteristics to the bullets in cartridges Q4-Q8. Based on physical characteristics, Q64 and Q3 could have been portions of the same cartridge, which would be the same as Q4-Q8. It cannot be determined that Q64 and Q3 were originally part of the same cartridge. Nor was it possible to determine that the cartridge represented by Q3 and Q4-Q8 were all packaged in the same box.

Latent prints of Ray were found on the rifle and the scope sight.

The Mustang broadcast. Fensterwald made much of the incident of the phony report of the Mustang chase in north Memphis as a decoy to assist Ray in getting out of town. Although there is no mention of this incident in our file, Frank gives a good explanation of the phony police broadcast in his book. According to him, the Memphis police have determined that it was a young teenager who was doing the broadcasting from a fixed station, pretending he was chasing a white Mustang in his car. He also points out that the phony broadcasts didn't begin until 6:35, too late to help Ray and 5 minutes after the public announcement of the shooting.

The abandoned Mustang in Atlanta. Ray's Mustang was abandoned on April 5 at the Capitol Homes Housing Project in Atlanta. Three witnesses observed the man who emerged from the Mustang and walked away. A Mrs. Bridges gave a good description which fits Ray, including a dark blue suit. She could not identify a photograph as she only saw the man from behind.

Lucy Clayton gave a description which roughly fit Ray including the dark blue suit and subsequently identified a photograph of Ray as the man who left the Mustang.

Mrs. Ernest Payne gave a description loosely fitting Ray but could not identify a photograph as she only saw the man's profile.

The two Mustang theory. Both Fensterwald and Weisberg have strongly urged that there were two Mustangs. They offer as support the fact that Ray originally purchased a Mustang with an automatic transmission but the owner of a service station where Ray received green stamps (later found in the car) stated he performed work on the Mustang's clutch.

Both Fensterwald and Weisberg are mistaken. The owner of the service station wherein Ray got the stamps (at 2183 Highland Avenue) did not remember Ray or any customer who drove a similar car. The man who told investigators about the Mustang with a clutch is named Jimmy Phillips, who owns a Standard service station at 7953 Crestwood Boulevard, Birmingham. Phillips described a man named Eric who drove a white Mustang and gave a description that loosely fits Ray. Phillips said the car had Georgia plates and was equipped with a trailer hitch. The clutch trouble was due to hauling the trailer. Phillips also said he saw the man last in February, 1968. (Ray was in Los Angeles).

The Atlanta map. A search of Ray's room in Atlanta produced a map with four areas circled on it. According to Frank's book, the areas were King's home, church and office. The file is silent on this point, only giving the locations at the center of each circle.

Miscellaneous Points.

(1) There is no mention in the file of Xavier Von Kosz, apparently the Bureau never came up with his name.

(2) The evidence is conclusive that Ray was in London when the Bureau said he was, and Scotland Yard was mistaken about Ray arriving from Lisbon on June 8.

(3) There is no mention in the file of Jim's Cafe, where, Fensterwald states, Ray first asked for a room (confusing Jim's Cafe with Jim's Grill).

(4) Ray did in fact rob a bank in Fulham on June 4, 1968. He left his thumbprint on a paper bag.

(5) There is no mention in the file of Ray's nose job.

(6) There is no mention of (according to Fensterwald) in Portugal, in the file.

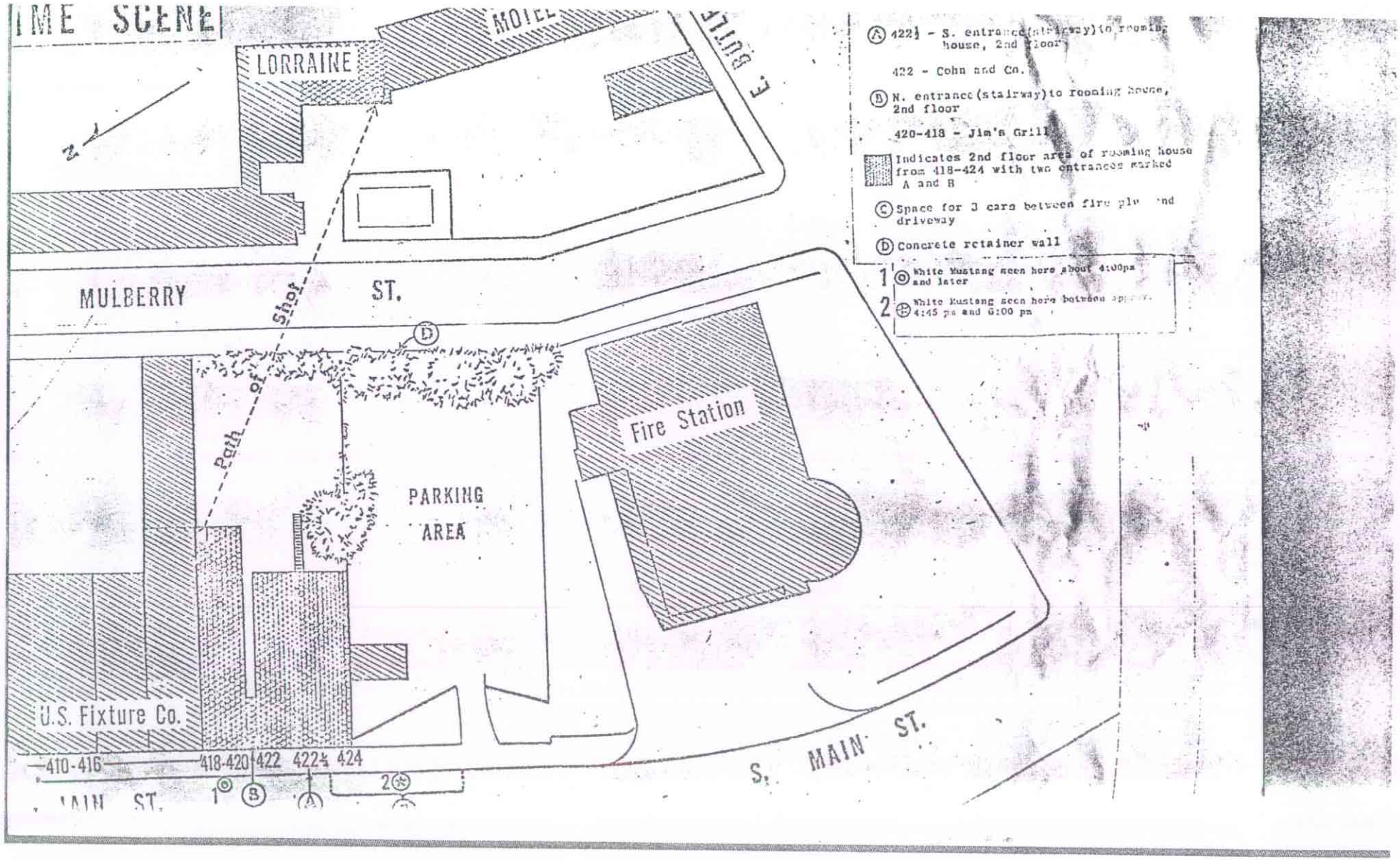
(7) Weisberg's book mentions a mysterious fat man who delivered a letter to Ray in Toronto. Weisberg again assumes this man was a co-conspirator. In actuality, this man is an innocent citizen who found a letter addressed to Ray (aka Paul Bridgemann) that Ray left in a phone booth, and returned it to Ray's rooming house. When the story broke the man turned himself into Canadian Police.

(8) It was impossible to identify any marks on the window sill as made by the murder weapon.

(9) The spare tire found in the Mustang was flat.

(10) According to Ed McDonough (FBI), all of the physical evidence gathered was turned over to state officials.

CRIME SCENE
HOTEL


IME SCENE
LORRAINE
MOTEL
E BUTLER
MULBERRY ST.
Path of Shot
PARKING AREA
Fire Station
U.S. Fixture Co.
410-416
418-420
422
422½
424
S. MAIN ST.
MAIN ST.
Ⓐ 422½ - S. entrance (stairway) to rooming house, 2nd floor
422 - Cohn and Co.
Ⓑ N. entrance (stairway) to rooming house, 2nd floor
420-418 - Jim's Grill
Indicates 2nd floor area of rooming house from 418-424 with two entrances marked A and B
Ⓒ Space for 3 cars between fire plug and driveway
Ⓓ Concrete retainer wall
1 White Mustang seen here about 4:00pm and later
2 White Mustang seen here between approx. 4:45 pm and 6:00 pm